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Attorney's Docket No. 017753-154

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
Thérèse de BIZEMONT *et al.* ) Group Art Unit: 1635 /  
Application No.: 09/836,439 ) Examiner: Richard A. Schnizer  
Filed: April 17, 2001 ) Confirmation No.: 5851  
For: GENE THERAPY WITH CHIMERIC )  
OLIGONUCLEOTIDES DELIVERED )  
BY A METHOD COMPRISING A STEP )  
OF IONTOPHRESIS )

SECOND INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c) the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

A fee in the amount of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is enclosed.

To assist the Examiner, the document are listed on the attached form PTO-1449. It is respectfully requested that an Examiner-initialed copy of this form be returned to the undersigned.

10/31/2003 KBETEMA1 00000002 09836439

01 FC:1806

180.00 OP

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: October 30, 2003

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**INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

[ ] No additional fee for submission of an IDS is required.  
[X] The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.  
[ ] A statement under 37 C.F.R. § 1.97(e) is also enclosed.  
[ ] A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.  
[ ] Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.  
[X] A check in the amount of \$ 180.00 is enclosed for the fee due.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: October 30, 2003

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Substitute for forms 1449A/PTO & 1449B/PTO		ATTORNEY'S DKT NO. 017753-154	APPLICATION NO. 09/836,439
<b>SECOND INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		APPLICANT Thérèse de BIZEMONT et al.	
		FILING DATE April 17, 2001	GROUP 1635

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## U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	5,760,012		Eric B. KMIEC et al.	06-02-1998
	6,154,671		Jean-Marie PAREL et al.	11-28-2000

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation Yes No

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	(Abstract only) STODULKOVÁ et al., "Initial Test of Chimeroplasty in Correcting a Mouse Retinal Degeneration" IOVS, 2001, pg. S346, Vol. 42, No. 4, Annual Meeting of the Association for Research in Vision and Ophthalmology, Fort Lauderdale, Florida, USA, April 29 - May 4, 2001
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	ASAHARA et al., "Induction of Gene into the Rabbit Eye by Iontophoresis: Preliminary Report", Japanese Journal of Ophthalmology, 2001, pgs. 31-39, Vol. 45, Japanese Ophthalmological Society, Elsevier Science, Inc., Oxford, ENGLAND
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	VOIGHT et al., "Down-regulation of NOS1 Gene Expression by Iontophoresis of Anti-sense Oligonucleotide in Endotoxin-induces Uveitis", Biochemical and Biophysical Research Communications, 2002, pgs. 336-341, Academic Press, London, England
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	LIANG et al., "Optimizing the Delivery Systems of Chimeric RNA-DNA Oligonucleotides. Beyond General Oligonucleotide Transfer", Eur. J. Biochem, 2002, pgs. 5753-5758, Vol. 269, Blackwell Science, Berlin, Germany
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	International Search Report for corresponding International Application No. PCT/IB02/02310, dated April 14, 2003

Examiner Signature	Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.